

Minutes from the City Council Meeting on Tuesday February 7, 2023, at 7:50 pm in the Auditorium are as follows:

(13)

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Laflamme, Frank N., President	At-Large Councilor	Present
Roy, Gerard (Jerry) A.	At-Large Councilor	Absent
Tillotson, James K.	At-Large Councilor	Present via Zoom
Zygarowski, Robert J.	At-Large Councilor	Present
McAuliffe, Joel D.	Ward 1 Councilor	Present via Zoom
Brooks, Shane D.	Ward 2 Councilor	Absent
Lopez, Delmarina	Ward 3 Councilor	Present
Balakier, George A.	Ward 4 Councilor	Present
Krampits, Fred T.	Ward 5 Councilor	Present
Dobosz, Derek Gregory	Ward 6 Councilor	Present
Courchesne, William C.	Ward 7 Councilor	Present
Labrie, Gary R.	Ward 8 Councilor	Present
Pniak-Costello, Mary Elizabeth	Ward 9 Councilor	Present

Public Input—Lisa Bienvenue, 34 Everett Street-thank the Fire Department for the services provided. She hopes the firefighter that was injured is ok. Glad to hear the city is going for the open meeting law training. What may seem like 2nd nature to you the constituents need to know. Redevelopment, potential of the Municipal Building. Potential of Uniroyal comes down to housing & development. We do need affordable housing. Barry may now be renovated-have to have room for development, have to have room for development of businesses, need stores. No room for that when every potential space is used for housing.

--Motion made by Councilor Lopez to return to the regular order of business following public input. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

--Motion made by Councilor McAuliffe that the minutes of 1/17/23 be accepted and approved. Motion passed by a unanimous roll call vote Councilors Roy & Brooks absent.

MO-1 Mayor's appropriation of Two hundred thousand and 00/100 dollars (\$200,000.00) to the following named account: D.P.W. Highway Special Account for Signal Maintenance from available funds in Stabilization Fund.

--Motion made by Councilor Lopez to receive and pass. Councilor Lopez stated there have been a significant increase in fatalities. Need to do the work. Councilor Zygarowski stated glad to hear the superintendent state the lines should be repainted around spring. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.

MO-2 Mayor's appropriation of One hundred fifty thousand and 00/100 dollars (\$150,000.00) to the following named account: D.P.W Parks Expense account for Water from the following named D.P.W. Parks Salaries

Accounts:

Heavy MEO/Laborer	\$ 9,000.00
Working Foreman	\$ 30,000.00
MEO/Laborer	\$ 13,000.00
Laborer	\$ 25,000.00
Park Foreman	\$ 19,000.00

Park Maint. Craftsman	\$ 6,000.00
Grounds Maint. Craftsman	\$ 20,000.00
DPW Maint. Craftsman	\$ 14,000.00
Temporary Laborers	<u>\$ 14,000.00</u>
Total	\$150,000.00

--Motion made by Councilor Courchesne to receive and pass. Councilor Courchesne stated last years dry & warm summer season used more water. Not from taxpayer money. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.

- MO-3 Mayor's appropriation of One hundred fifty-eight thousand and 00/100 dollars (\$158,000.00) to the following named account: Capital Projects Special Account for Remediation/Demolition of Uniroyal Buildings from available funds in the Stabilization Fund.

--Motion made by Councilor Zygarowski to receive and pass. Councilor Zygarowski stated for clean-up, contractor didn't finish. Need to finish cleaning up. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.

- MO-4 Mayor's appropriation of Seventy thousand and 00/100 dollars (\$70,000.00) to the following named account: Capital Projects Special Account for Remediation/Demolition of Uniroyal Buildings from available funds in the Stabilization Fund.

--Motion made by Councilor Balakier to receive and pass. Councilor Balakier stated additional weatherization of buildings. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.

- MO-5 Mayor's appropriation of Thirty-seven thousand eight hundred eighty three and 00/100 dollars (\$37,883.00) to the following named Human Resources Accounts:

Benefits Manager	\$14,846.00
Overtime	\$ 7,500.00
Advertising	\$ 8,537.00
Medical Exams	<u>\$ 7,000.00</u>
	\$37,883.00

from available funds in the Stabilization Fund.

--Motion made by Councilor Tillotson to receive and pass. Councilor Tillotson stated updating the hierarchy of the department. Money needed to bring into the 21st century. Modernizing the whole department. Councilor Lopez has questions, absolutely supporting Munis why weren't we using this prior to this. Nothing was holding this up. Spent a significant amount of money for it to not be used to its full potential. System meant to be used or as an HR system? Why are we doing this now and not previously? Councilor McAuliffe stated unfair to criticize, on the question of the upgrade now, there are a lot of hours to learn and train on the new system. Migrating all the files takes a significant amount of hours. Reasonable to take time. Paul is moving the department into technically inclined department. Councilor Dobosz thanked Councilor Lopez for bringing up concerns, having a part time director for so long. Councilor Lopez respectfully disagreed that we are farther ahead than other municipalities. Doing at the right time is unrealistic. So much money on this system, not using to full capacity. Not about staffing, wasting taxpayer dollars. Disagree we are ahead of other municipalities. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.

- MO-6 Mayor's appropriation of Thirty five thousand and 00/100 dollars (\$35,000.00) to the following named account: D.P.W. Engineering Salary Account for Senior Engineering Aide from available funds in the D.P.W. Highway Salary Account for Highway Maintenance Man.
- Motion made by Councilor Labrie to receive and pass. Councilor Labrie stated will pay for four and a half months of salary for an upgrade. Department is stretched thin. Do more in-house projects. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.
- Motion made by Councilor Labrie to take #35 out of order. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.
- 35 A favorable Zoning Committee report: Special Permit under Chapter 275-63 for the purpose of increasing outside storage in a IPUD Type 1 District from 2% of the building footprint to 5% as set forth in Section 275-63 F (5). Waiver requested increase amount of outside storage from 3,021 SF (2%) to 7,531 SF (5%) located at 301 Griffith Road. Applicant: Griffith Road Property Owner, LLC, Attorney Peter W. Shrair, 133 Pearl Street, Boston, MA 02110.
- Motion made by Councilor Balakier to receive and approve the special permit with conditions. Councilor Balakier stated formerly Leone wire company, new developer wants to come in and do manufacturing in and outside the building. Large tresses, for houses on commercial buildings. Will be storing the tresses outside. Two votes, one for a waiver and one for the special permit. Councilor Pniak-Costello stated when the waiver issue came up in committee wanted to speak to the residents in the area. Person at the meeting that has a business in the area agreed the proposal should go through. Went to a few houses, general consensus that the quality-of-life issues are kept. Residents indicated they liked that it would occupy an empty building and add to the tax base. Went to Belchertown, was shown how this will work. Monitor quality of life issues. Want to make sure the business expands. Councilor Balakier stated special permit can be called in if questions or concerns come up. Councilor Lopez stated why she agreed to vote favorably. Business is coming in, give trust to not impact the quality of life. Councilor Courchesne stated glad someone chose to come to our city. Matter was about storage; product goes outside and is picked up. Not really about storage. Happy to approve. Councilor Labrie stated not a startup business, been in business for years in Belchertown in a residential area. Councilor McAuliffe stated industrial park took quite a bit of a hit. Will bring jobs to Chicopee. Reputation with the business community hasn't been the best.
- Motion made by Councilor Laflamme would like to speak on this. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent. Councilor Laflamme stated only reason want to speak on this, building a home with tresses. Specialty item. Will help local construction companies. Storing temporarily, will have two shifts, very clean, want to be a good neighbor. Glad they are coming to the city.
- Motion made by Councilor Balakier to approve waiver #1. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent. Motion to approve the special permit passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.
- MO-7 Mayor's appropriation of Ten thousand and 00/100 dollars (\$10,000.00) to the following named account: D.P.W. Central Maintenance Salary Account for Intern/Co-Op from available funds in the D.P.W. Central Maintenance Salary Account for Motor Equipment Repairman.
- Motion made by Councilor Krampits to receive and pass. Councilor Krampits stated this and the next few are to fund internships. This one is for the Central Maintenance Garage. Motion passed through all stages by a roll call vote of 10 yes, 1 out of chair. Councilor Dobosz out of chair. Councilors Roy and Brooks absent.

- MO-8 Mayor's appropriation of Ten thousand and 00/100 dollars (\$10,000.00) to the following named account: D.P.W. Forestry Salary Account for Intern/Co-Op from available funds in the D.P.W. Highway Salary Account for Highway Traffic Foreman/Signal Maintenance.
- Motion made by Councilor Pniak-Costello to receive and pass. Councilor Pniak-Costello stated the DPW and HR are collaborating with local CTE departments. This one is for Forestry. Students can benefit from this, train students for trade. Motion passed through all stages by a roll call vote of 10 yes, 1 out of chair. Councilor Dobosz out of chair. Councilors Roy and Brooks absent.
- MO-9 Mayor's appropriation of Ten thousand and 00/100 dollars (\$10,000.00) to the following named account: D.P.W. Highway Salary Account for Intern/Co-Op from available funds in the D.P.W. Highway Salary Account for Highway Construction Foreman.
- Motion made by Councilor McAuliffe to receive and pass. Councilor McAuliffe stated similar to previous. Motion passed through all stages by a roll call vote of 10 yes, 1 out of chair. Councilor Dobosz out of chair. Councilors Roy and Brooks absent.
- MO-10 Mayor's appropriation of Two thousand and 00/100 dollars (\$2,000.00) to the following named account: Parks and Recreation Salary Account for Intern from available funds in the Parks and Recreation Salary Account for Leader of Rec Art.
- Motion made by Councilor Lopez to receive and pass. Councilor Lopez stated similar to the others. Previous proposal cut during COVID. Motion passed through all stages by a roll call vote of 10 yes, 1 out of chair. Councilor Dobosz out of chair. Councilors Roy and Brooks absent.
- MO-11 Mayor's appropriation of Twenty five thousand and 00/100 dollars (\$25,000.00) to the following named account: Police Salary Account for Intern from available funds in the Police Salary Account for Patrolman Step 2.
- Motion made by Councilor Lopez to receive and pass. Councilor Lopez stated same internship programs. Four current officers came from internship programs, right now they are having hiring difficulties. Motion passed through all stages by a roll call vote of 10 yes, 1 out of chair. Councilor Dobosz out of chair. Councilors Roy and Brooks absent.
- MO-12 Chapter 7 Ordinance Revisions
- Insertion of the position of Intern into the following departments: Police, Fire, Human Resources, Mayor, Library, Health, Parks & Recreation
- Insertion of the position of Intern/Co-op into the following departments: Central Maintenance Garage, D.P.W. Parks, D.P.W. Highway, D.P.W. Forestry, D.P.W. Sewer, D.P.W. Water, D.P.W. Engineering, Police.
- Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Ordinance amendments. Councilor Courchesne stated to add the interns. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.
- MO-13 Ordered that the City Council accept the FY22 State Earmark in the amount of Five hundred thousand and 00/100 (\$500,000.00) from the Commonwealth of Massachusetts through its Executive Office of Economic Development to the City of Chicopee. Said Earmark is for improvements to the former municipal library building and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Zygarowski to receive, pass and the grant accepted. Councilor Zygarowski stated the library next door has been vacant for many years. Councilor Pniak-Costello stated thank the Mayor for a step in the right direction to use the vacant building and revitalize downtown. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.

- MO-14 Ordered that the City Council accept the attached list of donations in the amount of Two thousand eight hundred and 00/100 dollars (\$2,800.00) to the Chicopee Public Library. Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Balakier to receive, pass and the donations accepted. Councilor Balakier stated a letter of thanks should be sent. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.

- MO-15 Ordered that the City Council accept the grant from the Massachusetts Department of Environmental Protection in the amount of Four million four hundred ninety two thousand one hundred eighty seven and 00/100 dollars (\$4,492,187.00) to the City of Chicopee. Said grant will be used to reduce the effluent nitrogen as required by the City's Federal and State issued NPDES permit and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Tillotson to receive and pass. Councilor Tillotson stated used for mandated material. Passing is important. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.

- MO-16 Ordered that the City Council accept the donation in the amount of Five hundred and 00/100 dollars (\$500.00) from Theory Wellness to the Chicopee Parks and Recreation Department. Said donation is to be used for the Chicopee Community Gardens at Lincoln Grove and Rivers Park and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Labrie to receive, pass and the donation accepted. Councilor Labrie stated to the parks department to purchase supplies, one at Rivers Park and one at Lincoln Grove. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.

- MO-17 Ordered that the City Council accept the donation in the amount of Five hundred and 00/100 dollars (\$500.00) from the American Legion Post 337 to the Chicopee Department of Veterans Services. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Krampits to receive, pass and the donation accepted. Councilor Krampits stated monies for veterans' program. Thank for the donation. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.

- MO-18 Ordered that the City Council accept the attached list of donations in the amount of Five hundred fifty and 00/100 dollars (\$550.00) to the Chicopee Public Library. Said donations are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Pniak-Costello to receive, pass and the donations accepted. Councilor Pniak-Costello stated list of donations attached. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.

MO-19 To The City Clerk

You are hereby notified that I have this day appointed Daniel Mashia, 234 College Street, Chicopee, MA 01020 to the Chicopee Electric Light Commission to serve in such office expiring on the first day of January 2026.

***New Appointment**

--Motion made by Councilor McAuliffe to receive and refer to the Human Resources Committee. Councilor McAuliffe stated well qualified people put on this committee. Will serve residents in the best way possible. Councilor Pniak-Costello stated agree with Councilor McAuliffe, qualifications are outstanding. Councilor Courchesne stated neighbor, very qualified. Councilor Tillotson stated concur, Dan is an outstanding member of the community. Real good choice, great guy. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

MO-20 To the City Council

You are hereby notified that I have this day re-appointed Joshua Clark, 259 East Main Street, Chicopee, MA 01020 as a member of the Mobile Home Rent Control Board to serve until the first of January 2025. To which appointment I ask the confirmation of your honorable Council.

***Re-Appointment**

--Motion made by Councilor Dobosz to receive and refer to the Human Resources Committee. Councilor Dobosz stated know Josh very well, he has done a great job on this committee. Very fair. Balanced person makes sure everyone is treated fairly. Councilor McAuliffe stated thank Councilor Dobosz for pointing out he's serving for the mobile home rent control. Super challenging committee. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

MO-21 To the City Council

You are hereby notified that I have this day re-appointed Lester Gagne, 24 Kowel Drive, Chicopee, MA 01020 as a member of the Mobile Home Rent Control Board to serve until the first of January 2025. To which appointment I ask the confirmation of your honorable Council.

***Re-Appointment**

--Motion made by Councilor Lopez to receive and refer to the Human Resources Committee. Councilor Lopez stated the process, all go to committee. Councilor Dobosz stated speak in favor, done a good job on this committee. Thank him for his advocacy. Motion to refer passed by a roll call vote of 10 yes, 1 no. Councilor McAuliffe voting no; Councilors Roy & Brooks absent.

MO-22 Be it Ordained by the City Council to adopt the below listed policy regarding the display of flags in front of City Hall on the City Hall traffic island.

Proposed Chapter 88

§88-1 Display of Flags on City Hall Plaza

The purpose of this Ordinance is to establish guidelines for the display by the City of Chicopee of (1) flags of governments recognized by the Federal Government, and (2) other flags in front of

City Hall on the City Hall traffic island. Nothing herein shall be construed to conflict with City of Chicopee Code, Ordinances Chapter 87.

§88-2 Policy.

It is the policy of the City of Chicopee that flags should be displayed in conformance with Federal and State policies, as stated in the Federal "Our Flag" publication of the Congress, House Document No. 96-144; Chapter 2, Section 6 of the Massachusetts General Laws and Chapter 2, Section 6A of the Massachusetts General Laws.

§88-3 Order of Precedence

Outdoor flags will be flown at City facilities in the following order of precedence: first, the United States flag; second, the Commonwealth of Massachusetts flag; and third, the City of Chicopee flag.

§88-4 Special occasions of Federal, State and local proclamation.

- a. Flags in front of City Hall shall be displayed in accordance with the above standards. However, the Mayor may order flags to be lowered to half-staff including, but not limited to flags of the United States of America and the Commonwealth of Massachusetts in honor of the death of a City employee killed in the line of duty, or in observance of a specific event or circumstance.
- b. Pursuant to proclamation of the Mayor, or resolution of the City Council, other flags may be flown by the City in place of the City of Chicopee flag.

§88-5 Other Flags.

The City's flagpoles are not intended to serve as a forum for free expression by the public. The following flags may be displayed by the City as an expression of the City's official sentiments:

- a. Flags of Government Recognized by the United States. Flags of government recognized by the United States may be displayed upon the proclamation of the Mayor or by resolution of the City Council.
- b. Flags displayed in Conjunction with Official Events or Ceremonies as Announced by Mayoral Proclamation or City Council Resolution. By proclamation of the Mayor or resolution of the City Council, other flags may be displayed as official City events or ceremonies.
- c. Ownership of Other Flags. The City shall acquire ownership of all flags that it flies in place of the City of Chicopee flag.

§88-6 This Ordinance shall take effect upon passage.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated the Mayor's office was notified about improper use of flags. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- MO-23 Ordered that the City Council accept the FY2023 Field Demonstration Project SIG Grant in the amount of Eight thousand and 00/100 dollars (\$8,000.00) from the Executive Office of MCOA to the Chicopee Council on Aging. Said grant will be used for development and implementation of Outreach and Marketing of the COA to older adults and caregivers and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Balakier to receive and pass with a 2nd by Councilor Zygarowski. Councilor Balakier stated grant for outreach and marketing. Will help. Motion passed through all stages by a roll call vote of 10 yes, 1 abstained. Councilor Laflamme abstained; Councilors Roy & Brooks absent.

MO-24 Ordered that the City Council accept the donations in the amount of Seven thousand forty two and 00/100 dollars (\$7,042.00) to the Chicopee Council on Aging. Said donations are for senior meals for the month of December 2022 and they are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Labrie to receive, pass and the donations accepted with a 2nd by Councilor Zygarowski. Councilor Labrie stated for senior lunches. Motion passed through all stages by a roll call vote of 10 yes, 1 abstained. Councilor Laflamme abstained; Councilors Roy & Brooks absent.

MO-25 Ordered that the City Council accept the attached list of donations in the amount of Seven thousand one hundred forty one and 00/100 dollars (\$7,141.00) to the Chicopee Council on Aging. Said donations are for senior programming and they are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Krampits to receive, pass and the donations accepted with a 2nd by Councilor Zygarowski. Councilor Krampits stated for senior programming. Motion passed through all stages by a roll call vote of 10 yes, 1 abstained. Councilor Laflamme abstained; Councilors Roy & Brooks absent.

MO-26 Ordered that the City Council accept the attached list of donations in the amount of Seventy two and 00/100 dollars (\$72.00) to the Chicopee Council on Aging. Said donations are for the Rivermills Newsletter and they are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Pniak-Costello to receive, pass and the donations accepted with a 2nd by Councilor Zygarowski. Councilor Pniak-Costello stated for the RiverMills newsletter. Motion passed through all stages by a roll call vote of 10 yes, 1 abstained. Councilor Laflamme abstained; Councilors Roy & Brooks absent.

27 A favorable Human Resources Committee report: Appointment of Ernest Mathieu to the Board of Health Commission.

--Motion made by Councilor Tillotson to receive and approved this evening. Councilor Tillotson stated Ernie has been on the health commission, well qualified, good choice. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

28 A favorable Human Resources Committee report: Appointment of Janet Ely to the Board of Health Commission.

--Motion made by Councilor Tillotson to receive and approved this evening. Councilor Tillotson stated she is a reappointment. Difficult time with COVID-19 glad to reappoint. Councilor Pniak-Costello stated served many years, very dedicated. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

29 A favorable Human Resources Committee report: Mayoral appointment of Theresa Devlin as a member of the Zoning Board of Appeals to serve in such office for the term expiring on the 3rd of January 2026.

--Motion made by Councilor Tillotson to receive and approved this evening. Councilor Tillotson stated was very sincere. Think she'll be fine. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 30 A favorable Human Resources Committee report: Mayoral appointment of Nathan Moreau as a member of the Planning Board to serve in such office for the term expiring on the 3rd day of January 2028.

--Motion made by Councilor Tillotson to receive and approved this evening. Councilor Tillotson stated worked in the Planning Department, good candidate. Councilor Dobosz stated like Nathan a lot, think he did good in the Mayor's Office and Planning. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 31 A favorable Human Resources Committee report: Mayoral appointment of Julia Sudol as a member of the Zoning Board of Appeals to serve in such office for the term expiring on the 1st January 2026.

--Motion made by Councilor Tillotson to refer back to the Human Resources Committee. Councilor Tillotson stated she didn't show for the meeting, take up in committee. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 32 A favorable Zoning Committee report: Special Permit under Chapter 275-52 (B) 3 for the purpose of garage as a principal structure located at 19 Dale Street. Applicant: Steven Gardner, 19 Dale Street, Chicopee, MA 01020.

--Motion made by Councilor Balakier to receive & postpone to the call of the chair at the 2/22/23 Zoning sub-committee meeting in the Chambers at 6:30. Councilor Balakier stated originally for the purpose of a garage. Now single-family house. Hopefully will come up with some building plans. Health Department had concerns. Postponed with the hope that the applicant will comply. Motion to postpone passed by a roll call vote of 10 yes, 1 abstained. Councilor McAuliffe abstained Councilors Roy & Brooks absent.

- 33 A favorable Zoning Committee report: Special Permit under Chapter 275-50 C 1 + 2 for the purpose of new digital sign with dimensional relief. Waiver requested – front setback from 25' to +/- 1' located at 603 New Ludlow Road. Applicant: Jim Carrier, c/o Lifepoint Church, 603 New Ludlow Road, Chicopee, MA 01020.

--Motion made by Councilor Balakier to receive and the special permit be approved with conditions. Councilor Balakier stated there is also one waiver requested.

--Motion made by Councilor Balakier to approve waiver #1. Motion passed through all stages by a roll call vote of 10 yes, 1 out of chair. Councilor Pniak-Costello out of chair Councilors Roy & Brooks absent. Motion to approve the special permit passed through all stages by a unanimous roll call vote. Councilor Roy & Brooks absent.

- 34 A favorable Zoning Committee report: Special Permit under Chapter 275-58 (E) (1) for the purpose of installation of a new pole sign. Waivers requested – (1) Setback from 25' to +/- 0.5' (2) total sign surface area from 80 SF to 98 SF located at 1801 Memorial Drive. Applicant: Sign Techniques, Inc., Tracy Janik, PO Box 237, Chicopee, MA 01021.

--Motion made by Councilor Balakier to postpone to the 2/22/23 Zoning Sub-committee meeting at the Council Chambers. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 36 A favorable Zoning Committee report: Special Permit under Chapter 275-9 for the purpose of installing small wireless facility on existing utility pole under Chapter 277. Location 56 Foss Avenue. Applicant: Cellco Partnership d/b/a Verizon Wireless, 1441 Main Street, Suite 1100, Springfield, MA 01103.
- Motion made by Councilor Balakier to receive and accept the leave to withdraw. Councilor Balakier stated the applicant sent a letter in to withdraw. Councilor Balakier read the letter into the record. Motion passed through all stages by a unanimous roll call vote. Councilors Roy & Brooks absent.
- 37 A favorable Finance Committee report: Ordered that the Finance Committee meet to discuss financial issues associated with Bluebird Acres Mobile Home Park.
- Motion made by Councilor Zygarowski to receive and placed on file. Councilor Dobosz stated filed the motion. Residents had concerns. One of the best things from the Kos administration. If you have concerns just call. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.
- 38 A favorable Finance Committee report: Ordered that the sum of One hundred thousand and 00/100 dollars (\$100,000.00) be and hereby is appropriated to the following named account: Law Expense Account for Special Services. Said amount is to be taken from available funds in the Stabilization Fund.
- Motion made by Councilor Zygarowski to receive and pass. Councilor Zygarowski stated motion to approve. Councilor Tillotson stated clean up loose ends in the Law Department. Hopefully this will take care of any bills.
- Motion made by Councilor Laflamme would like to speak on this. Motion passed by a roll call vote of 10 yes, 1 abstained. Councilor Laflamme abstained Councilors Roy & Brooks absent. Councilor Laflamme stated wanted to know what was being done with the \$100,000 asked in the future to get reports for the Council. Also updated problem properties. Good meeting, start getting reports. Councilor Pniak-Costello stated Law Department is always responsive. Reach out, they will give update. Councilor Dobosz stated Williams Park contamination is on there, can't vote yes. Motion was defeated by a roll call vote of 8 yes 3 no. Councilors Lopez, Dobosz, and Courchesne voting no. Councilors Roy & Brooks absent. (9 votes needed to pass from Stabilization Fund)
- 39 Be it Ordered that the Chicopee City Council accept the final report completed by the Charter Review Committee and forward the same to the Rules Committee for review and formulation of recommendations to the full City Council for discussion and formal adoption.
- Motion made by Councilor McAuliffe to receive and refer to the Rules Committee. Councilor McAuliffe stated original author of Charter Review Commission, lots of work done. New year to review and report on a case-by-case basis, home rule petition. Changes in charter some will do quickly some will require more debate. Councilor Courchesne asked if the Councilors can add their own recommendations? Councilor Dobosz stated thank Councilor McAuliffe for bringing this forward, committee was good. Happy to see this go to the Rules Committee. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.
- 40 Be it Ordered that the Public Works Committee meet to review the proposed road line striping change for East Main Street.
- Motion made by Councilor Krampits to receive and refer to the Public Works Committee. Councilor Krampits stated Engineer is changing the line striping from Veteran's bridge to the

Springfield line. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 41 Be it Ordered that Councilor Krampits be authorized to hold a public hearing regarding loud music complaints from cars parked after hours at Laser Auto Wash at 200 St. James Ave.

--Motion made by Councilor Krampits to receive and the authorization granted. Councilor Krampits stated to address the issue with loud music and noise. Meet with the neighbors. Suggestion, way to use the chambers. Have to advertise if a possible quorum. Councilor Dobosz stated support, important tool for Councilors to use. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 42 Be it Ordered that United Sons Auto Sales, LLC 400 D East Main Street, licenses be called in before the License Committee for License review and imposition of restrictions.

--Motion made by Councilor Krampits to receive and refer to the License Committee. Councilor Krampits stated approved licenses last month with no restrictions. Bringing back to add restrictions. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 43 Be it Ordered that CEL install a light on pole #13 on Abbey Memorial Drive.

--Motion made by Councilor Zygarowski to refer to Chicopee Electric Light for implementation. Councilor Zygarowski stated on a curve, responsible for lights. Met with CEL and they thought it was a good idea. Councilor Balakier asked for a point of identification. It is on the curve on the right side from Broadway. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 44 Be it Ordained by the City Council that the Code of the City of Chicopee for year 1991, as amended, be and is hereby further amended as follows:

Chapter 109 Section 3

There shall be no sale of alcohol bottles or containers that are less than 50 milliliters in size.

--Motion made by Councilor Pniak-Costello to receive, 1st reading and refer to the Ordinance Committee and the Liquor Commission. Councilor Pniak-Costello stated eliminate the sale of nip bottles. Tremendous problem with trash. Public safety concern. May not be .08 but if you drink enough you may be over .06 or .07. Cleanup the city and public safety. Councilor Dobosz stated we are introducing a ban on nip bottles. Lot in eastern mass have a ban or limit on the number of bottles. Additional license. All over the city, litter is the main reason for filing. Drivers are drinking and throwing them out the window. Support banning them. Hope to have a discussion in committee. Not just a wild idea. People who buy nips are not people who vote. Councilor Labrie asked if we can get the Liquor License to weigh in before the meeting. Councilor Balakier stated great idea, way too much litter in the city. Possibly imbibing and driving. Walk and fall potential law suit. Councilor Courchesne stated does not ban nips, need to change the wording. Councilor McAuliffe stated take issue that the people who buy nips are not the people who vote. People of Chicopee can make decisions for themselves. Take issue with stereotyping. Councilor Zygarowski stated is there a movement on the state level? Not at this time. Also asked have you been in touch with the surrounding cities? Councilor Dobosz stated spoke with some Councilors in Springfield, they can go to another community. Councilor Tillotson stated will watch closely, will work on it. Councilor Pniak-Costello asked if there are any other communities in the state that have a ban? Answer from Counselor Garvey was: 4 Quincy, Wareham, Newton and one other.

Sanitary trash. Public safety issue. Pedestrians, bicycle safety. Safe streets could be the start of a more aggressive move. Councilor Courchesne stated invite the license holders, this could affect their livelihood. Councilor Tillotson stated send to liquor commission, maybe put a deposit on it. Motion to refer passed by a roll call vote of 10 yes,1 abstained. Councilor Courchesne abstained Councilors Roy and Brooks are absent.

45 Be it Ordered that the Law Department review the status of the Traffic Committee.

--Motion made by Councilor Pniak-Costello to receive and refer to the Law Department and Mayor for review and report to Council. Councilor Pniak-Costello stated part of the charter, want it reviewed and reactivated. Let the Law Department review and report back. Now more than ever needed in this day and age. Councilor Courchesne stated been on his pegboard for a few years, thought would be with charter review, should be revised. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

46 Be it Ordered that the Public Safety Committee meet with the Emergency Management Director, Fire Chief, and Police Chief to discuss disaster preparedness and what the City has in inventory.

--Motion made by Councilor Zygarowski to receive and refer to the Public Safety Committee. Councilor Zygarowski stated spoke with Councilor Roy, will discuss in committee. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

47 Be it Ordained by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Chapter 275-50 Signs

Delete 275-50 B (F)

F. Duration of placement. Temporary signs may be placed 60 days prior to an event or promotion and must be removed within seven days following an event or promotion.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance and Zoning Committee. Councilor Courchesne stated found by accident, three different places in the code. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

48 Be it Ordained by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Chapter 275-51 Motor Vehicle Repair and Storage

Delete from Chapter 275-51 D the following language

"or inoperable or not currently registered or with a current state inspection sticker"

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance and Zoning Committee. Councilor Courchesne stated years ago, conflicting ordinances. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

49 Be it Ordained by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Delete Chapter 169-13 E

And insert in place thereof

Bulky waste, such as discarded furniture, mattresses, large electronics, tires, floor coverings, large appliances, and similar items can be picked up through the City's Curbside Bulk Pick-up Program. Disposal of construction/demolition debris, commercial bulk waste, hazardous waste and regular household trash are not eligible for pick-up and shall be the responsibility of the owner.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated bulk pickup conflicts with the Ordinance combined with current. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

50 Be it Ordained by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Chapter 200-4 Boom boxes and audio equipment.

Add to B the following
as measured at the property line of where the unreasonable noise originates

To read:

B. Loud and unreasonable noise defined. For purposes of this section, an unreasonable loud noise is defined as a sound which is greater than 50 decibels in the hours between 11:00 p.m. and 7:00 a.m. and 70 decibels at other times as measured at the property line of where the unreasonable noise originates or any sound which is discernible at a distance of 100 feet, provided that such sound is not otherwise authorized by permit or license granted by the Commonwealth of Massachusetts or the City by permission of the Chief of Police.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee and invite Health Department. Councilor Courchesne stated working with Lt. Laflamme, no point where the sound begins. No basis to enforce, give clarity. Councilor Pniak-Costello stated have in ordinance to review noise. Been in discussion, houses and businesses can be added to that discussion. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

51 Be it Ordained by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Add: Chapter 169, Article VII

Enforcement and Violation

The Superintendent of Public Works, Chicopee Police Department, Chicopee Building Department, Chicopee Health Department, Chicopee Fire Department, or any of their designee(s) shall enforce the provisions of Chapter 169 and shall have the authority to issue citations for any said violation(s). Any person violating any of the provisions of this article, except where a different penalty is specially provided, shall be liable to a fine of \$50 for the first offense, \$100.00 for a second offense and \$500.00 for a third and/or subsequent offense within a twelve-month period.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated new problem, grandfathered in, increase fines clean up

their act quicker. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 52 Be it Ordered that the following question shall be placed on the November 7, 2023 ballot for the City of Chicopee

Shall the City of Chicopee vote to accept the provisions of Chapter 40 Section 6C of the General Laws, which authorize cities and towns to appropriate money for the removal of snow and ice from private ways therein open to public use?

--Motion made by Councilor Courchesne to receive, and the order voted on for passage. Motion made by Councilor Courchesne to amend to refer to the Ordinance Committee. Councilor Courchesne stated have to accept the law. Councilor Labrie stated refer to Ordinance. Counselor Garvey stated DPW Superintendent wants to bring to the Council before voting on this. Councilor Courchesne stated state law allows to plow now. Can't do that now. Councilor Lopez stated before pass? Given what's in front of us makes sense. In front of us, we're already doing this. Can we do it legally? Put to whatever or postpone to our next council meeting. Send to Ordinance. Councilor Priak-Costello stated think good idea to send to committee. Before an initiative like this, putting on the ballot need dialogue and recommendation. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 53 Be it Ordered that the DPW/Sanitation Department meet to correct and update Chapter 223-1 to Chapter 223-5 to bring language to current regulations.

--Motion made by Councilor Courchesne to receive and refer to the DPW for implementation. Councilor Courchesne stated still talk about blue bins-old laws still on file. Let them deal with it. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 54 Be it Ordered that the DPW assess the intersection of Bonner/State and Chicopee Street for special crosswalk with illuminating signs and yellow flashing beacons for pedestrian and driver safety.

--Motion made by Councilor Lopez to receive and sent to Engineering and DPW to conduct a report on appropriateness and report back to the Council. Councilor Lopez stated hand in hand with MO-1 already appropriated the funds. Hoping to work with DPW and Engineering. Next six orders are the same but at different intersections, not just about drivers. Also responsibility of pedestrians, do your part. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 55 Be it Ordered that the DPW assess the intersection of Chicopee Street and Meetinghouse Road for special crosswalk with illuminating signs and yellow flashing beacons for pedestrian and driver safety.

--Motion made by Councilor Lopez to receive and sent to Engineering and DPW to conduct a report on appropriateness and report back to the Council. Councilor Lopez stated happened at one of the intersections. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 56 Be it Ordered that the DPW assess the intersection of Elcon Drive and Meetinghouse Road for special crosswalk with illuminating signs and yellow flashing beacons for pedestrian and driver safety.

--Motion made by Councilor Lopez to receive and sent to Engineering and DPW to conduct report on appropriateness and report back to the Council. Councilor Lopez stated self-explanatory. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 57 Be it Ordered that the DPW assess the intersection of Florence and Chicopee Street for special crosswalk with illuminating signs and yellow flashing beacons for pedestrian and driver safety.

--Motion made by Councilor Lopez to receive and sent to Engineering and DPW to conduct a report on appropriateness and report back to the Council. Councilor Lopez stated same course. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 58 Be it Ordered that the DPW assess the intersection of Stedman and Meadow Street for special crosswalk with illuminating signs and yellow flashing beacons for pedestrian and driver safety.

--Motion made by Councilor Lopez to receive and sent to Engineering and DPW to conduct a report on appropriateness and report back to the Council. Councilor Lopez stated same course. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 59 Be it Ordered that the DPW assess the intersection of Sarah Jane Sherman Park entrance and Chicopee Street for special crosswalk with illuminating signs and yellow flashing beacons for pedestrian and drive safety.

--Motion made by Councilor Lopez to receive and sent to Engineering and DPW to conduct a report on appropriateness and report back to the Council. Councilor Lopez stated same course. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 60 A proposed ordinance adding to Chapter 260, Parking Regulations, Bourbeau Street, Odd side 25 feet to corner of Prospect Street, Parking Prohibited Here to Corner.

--Motion made by Councilor Courchesne to receive, 1st reading and refer to the Ordinance Committee. Councilor Courchesne stated this came via DPW. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 61 A proposed ordinance striking from Chapter 260, Parking Regulations, Chicopee Street, In front of 801-805 Chicopee Street, Parking Prohibited.

--Motion made by Councilor Courchesne to send to the DPW for removal. Councilor Courchesne stated nothing on the books, the sign just needs to be taken down. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 62 A proposed ordinance adding to Chapter 260, Isolated Stop Signs and Signal Lights, Cherryvale Street, Dead End Side, At the intersection of New Ludlow Road, Isolated Stop Sign with Stop Bar.

--Motion made by Councilor Pniak-Costello to receive, 1st reading and refer to the Ordinance Committee. Councilor Pniak-Costello stated written by DPW investigated the area. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 63 An application for a NEW Home Occupation License at 82 9th Avenue for the purpose of doing Baking Business. Applicant: Susan Gendron, 82 9th Avenue, Chicopee, MA 01020.

--Motion made by Councilor Balakier to receive and refer to the Zoning Committee, Health & Building Departments. Councilor Balakier stated will take up in committee. Motion to refer

passed by a roll call vote of 10 yes, 1 out of chair. Councilor Labrie out of chair. Councilors Roy & Brooks absent.

- 66 An application for a NEW Auto Body/Auto Repair license for Tony and Sons Auto Service and Sales, Leasing and Rental Inc. at 170 South Street. Applicant: Dolcimar Ferreira Sousa, 51 Bliss Street, West Springfield, MA 01089.

--Motion made by Councilor Krampits to receive and refer to the License Committee. Councilor Krampits stated will take up in committee. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 67 An application for a NEW Auto Detail license for Tony and Sons Auto Service and Sales, Leasing and Rental Inc. at 170 South Street. Applicant: Dolcimar Ferreira Sousa, 51 Bliss Street, West Springfield, MA 01089.

--Motion made by Councilor Krampits to receive and refer to the License Committee. Councilor Krampits stated will take up in committee. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 68 An application for a NEW Hawkers and Peddlers License to Sell Ice Cream. Outside of the properties of various school/park locations. Applicant: Iro Mitchener, 58 Grattan Street, Chicopee, MA 01020.

--Motion made by Councilor Krampits to receive and refer to the License Committee. Councilor Krampits stated will take up in committee. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 69 2023 Class 2 License Renewal

Family Auto Sales and Repair, LLC 920 A Meadow Street

--Motion made by Councilor Krampits to receive and granted with existing restrictions. Councilor Krampits stated renewal. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 70 2023 Auto Repair License Renewal

Monro Muffler & Brake, Inc. 461 Memorial Drive

--Motion made by Councilor Krampits to receive and granted with existing restrictions. Councilor Krampits stated renewal. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 71 2023 Auto Repair & Auto Body License Renewal

Family Auto Sales and Repair, LLC 920 A Meadow Street

--Motion made by Councilor Krampits to receive and granted with existing restrictions. Councilor Krampits stated self-explanatory. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

- 72 2023 Auto Detail License Renewal

Family Auto Sales and Repair, LLC 920 A Meadow Street

--Motion made by Councilor Krampits to receive and granted with existing restrictions. Councilor Krampits stated self-explanatory. Motion passed by a unanimous roll call vote. Councilors Roy & Brooks absent.

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A petition from Eversource : Eversource Gas of Massachusetts, hereby requests that it be granted a location and permission to install and maintain 4,711' of 2" IP plastic gas main on Chicopee St, Emerson St, Erline St, Tourtellotte Ave, Lucretia Ave, Riverview Pl, Charbonneau Te, Rivers Ave, Adams St, Leslie St, and Blanche St with such laterals and service connections as it may now or subsequently find necessary.

Said gas main will be installed in accordance with the plans enclosed.

--Motion made by Councilor Dobosz to receive and refer to the Utilities Committee. Councilor Dobosz stated deal with in committee. Motion to refer passed by a unanimous roll call vote. Councilors Roy & Dobosz absent.

--Motion made by Councilor Labrie to adjourn at 10:22. Motion passed by a roll call vote of 10 yes, 1 out of chair. Councilor Dobosz out of chair. Councilors Roy & Brooks absent.

--Motion to adjourn made by Councilor Lopez at 10:22. Motion passed by a roll call vote of 10 yes, 1 out of chair. Councilor Dobosz out of chair, Councilors Roy & Brooks absent.

ATTEST:

A handwritten signature in black ink, appearing to read "Keith W. Rattell", with a stylized flourish at the end.

Keith W. Rattell, City Clerk